

**REMARKS**

Upon entry of the amendments in this paper, claims 1 and 3-12 will be pending in the above identified application. Claims 1, 3-7, and 9-12 are herein amended. Claim 2 is herein canceled. No new matter is entered. It is respectfully submitted that this paper is fully responsive to the Office action mailed on August 19, 2010.

**Claim Rejections - 35 U.S.C. §102**

Claims 1, 2 and 10 stand separately rejected under 35 U.S.C. §102(b) as anticipated by *Murata* (5,213,186) and *Murasugi* (4,720,003).

Claims 1, 3-6 and 10-12 stand rejected under 35 U.S.C. §102(b) as anticipated *Coffman et al.* (5,380,257).

Applicants respectfully disagree with the Office Action's characterization of the cited references and original claim language. However, Applicants amend claims 1 and 10 to expedite prosecution and clarify the presently claimed invention. In view of these amendments and the following remarks, Applicants request favorable reconsideration of pending claims 1, 3-6 and 10-12.

Anticipation requires the presence of each and every limitation in a single prior art reference.

However, *Murata* and *Murasugi* fail to disclose at least the following limitation: "a clutch, which is provided between the engine and the torque converter, and which is capable of controlling a transmission torque transmitted thereby." See claim 1.

*Murata* does not describe a clutch between an engine and a torque converter. For example, in Fig. 1 of *Murata*, there is only described a clutch 9 and a torque converter 7 each of which connects an engine 1 in series. Both are connected in parallel each other.

Further, the invention described in *Murata* is related to control lock-up clutch. It is completely different than the presently claimed invention, for example, in which a controller is useful to control transmission torque transmitted by the clutch between the engine and the torque converter.

*Murasugi* does not describe a clutch between an engine and a torque converter. *Murasugi* only describes a lock-up clutch 16 provided in an output side of a torque converter 1. An input side of the torque converter 1 is connected to an engine (column 2, lines 28-29). And then, the lock-up-clutch 16 connects and disconnects the input side and the output side of the torque converter 1. The lock-up-clutch 16 is parallel to the torque converter 1 (e.g., same as *Murata*).

Further, the invention described in *Murasugi* is related to a lock-up clutch itself. It is completely different than the presently claimed invention, for example, in which a controller is useful to control transmission torque transmitted by the clutch between the engine and the torque converter.

Accordingly, claim 1 is not anticipated by either *Murata* or *Murasugi*.

Also, *Coffman* does not describe “a throttle opening amount detector which detects an opening amount of the throttle” and “the controller, in response to the engine rotational speed detector and the throttle opening amount detector, commands the clutch actuation device so as to control the transmission torque transmitted by the clutch according to the engine rotational speed

and the throttle opening amount.” *See* currently amended Claim 1 (e.g., incorporated from original Claim 2). In fact, the Examiner did not even rely on *Coffman* to reject claim 2.

Accordingly, claims 1 and 3-6 are not anticipated by *Coffman*.

Regarding claim 10, none of the cited references, alone or in combination, describe a controller (in response to the engine rotational speed detector and the throttle opening amount detector) that commands the clutch actuation device to control the transmission torque transmitted by the clutch according to the engine rotational speed and a throttle opening amount. *See* currently amended claim 10 and the discussion above.

Accordingly, Applicants submit that claims 10-12 are not anticipated by any of the cited references.

In view of the aforementioned amendments and remarks, Applicants request favorable reconsideration of pending claims 1, 3-6, and 10-12.

#### **Allowable Subject Matter**

Applicants appreciate the acknowledgment that Claims 7-9 contain allowable subject matter. However, in view of the aforementioned amendments and remarks, Applicants refrain from rewriting claims 7-9 in independent form.

Applicants request favorable reconsideration of claims 7-9.

**Conclusion**

In view of the aforementioned amendments and remarks, Applicants submit that pending claims 1 and 3-12 are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

Respectfully submitted,

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